

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

| | | |
|---------------------------|---|---------------------------|
| BEVERLY MILES, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 3:06-CV-192 |
| |) | (Phillips/Shirley) |
| JOE TREECE, et al, |) | |
| |) | |
| Defendants. |) | |

ORDER

This matter is before the Court upon plaintiff's motion for extension of time to serve Joe Treece (Treis) and to set date for scheduling conference [Doc. 8]. Plaintiff states that, despite diligent efforts, counsel has been unable to locate Mr. Treis to effect service and that she will need to conduct limited discovery with Mr. Treis' employer, Sears, for purposes of obtaining Mr. Treis' last known address. Pursuant to Fed.R.Civ.P.4(m), "provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period." Plaintiff shall have until August 30, 2006 in which to serve defendant Treis. As to plaintiff's request to set a date for a scheduling conference, the Court requires service upon all defendants, as well as the filing of responsive pleadings by defendants before a scheduling conference is conducted. Therefore, plaintiff's motion for extension of time to serve Joe Treis is **GRANTED**, and plaintiff's motion to set scheduling conference is **DENIED**.

ENTER:

s/ Thomas W. Phillips
United States District Judge